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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	
Plaintiff,)	Case No. C 06 5397 JW
v.)	
CAROL LINDSAY,)	
Defendant.)	
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COMPUTERSHARE,)	AMENDED WRIT OF
Garnishee.)	<u>CONTINUING GARNISHMENT</u>
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TO: Computershare
P.O. Box 43078
Providence, RI 02940-3078

YOU ARE HEREBY COMMANDED TO GARNISH FOR THE BENEFIT OF THE UNITED STATES OF AMERICA PROPERTY IN YOUR POSSESSION IN WHICH THE DEFENDANT-JUDGMENT DEBTOR HAS A SUBSTANTIAL NONEXEMPT INTEREST.

The name, last known address, and last four digits of the social security number of the person who is the defendant-judgment debtor ("defendant") in this action and whose property is subject to this Writ are as follows:

Carol Lindsay
2395 Delaware Avenue, SPC 96
Santa Cruz, CA 95060.

Social Security Number (last four digits): XXX-XX-2209

This Writ has been issued at the request of the United States of America to enforce the collection of a civil judgment entered in favor of the United States against the defendant for a debt in the original amount of \$97,183.13. There is a balance due of approximately \$95,955.27 which includes costs and interest computed through April 4, 2011.

The following are the steps that you must take to comply with this Writ. If you have any questions, you should consult with your attorney.

1. Pursuant to 28 U.S.C. § 3205(c)(2)(F), if you have in your custody, control, or possession any property of the defendant in which the defendant has a substantial nonexempt interest, or if you obtain custody, control, or possession of such property while this Writ is in effect, you must immediately withhold such property from the defendant and retain it in your possession until you receive instructions from the Court which will tell you what to do with the property.

2. Pursuant to 28 U.S.C. § 3205(c)(2)(E), you are required to answer this Writ within 10 days after service of this Writ upon you. You must answer the Writ even if you do not have in your custody, control, or possession any property of the defendant. Pursuant to 28 U.S.C. § 3205(c)(4), your answer must state, under oath, the following information:

- a. Whether or not you have in your custody, control, or possession, any property owned by the defendant in which the defendant has a substantial nonexempt interest, including nonexempt disposable earnings;
- b. a description of such property and the value of such property;
- c. a description of any previous garnishments to which such property is subject and the extent to which any remaining property is not exempt; and
- d. the amount of the debt you anticipate owing to the defendant in the future and whether the period for payment will be weekly or another specified period.

For your convenience, a form which addresses the above-requested information is attached and

1 may be used to answer the Writ.

2 3. After you complete the answer under oath, pursuant to 28 U.S.C. § 3205(c)(2)(E)
3 and (c)(4), within ten (10) days after service of this Writ upon you, you must mail or deliver the
4 original answer bearing the original signature of the person preparing the answer to the Court at
5 the following address:

6 Clerk, United States District Court
7 280 S. First Street, Room 2112
San Jose, CA 95113.

8 At the same time you mail or deliver the original answer to the Court, you must also mail or
9 deliver a copy of the original answer to both the defendant and attorney for the United States at
10 the following respective addresses:

11 Carol Lindsay
12 2395 Delaware Avenue, SPC 96
13 Santa Cruz, CA 95060.

14 Thomas Moore
15 Assistant U.S. Attorney
450 Golden Gate Avenue, 11th Floor
16 P.O. Box 36055
San Francisco, CA 94102.

17 Please note that the attached form answer contains a certificate of service which needs to be
18 completed by the person mailing the copies of the answer to the defendant and the attorney for
19 the United States, and which needs to be filed with the Court along with the answer.

20 **IF YOU FAIL TO ANSWER THIS WRIT OR FAIL TO WITHHOLD PROPERTY**
21 **IN ACCORDANCE WITH THIS WRIT, THE UNITED STATES MAY PETITION THE**
22 **COURT FOR AN ORDER REQUIRING YOU TO APPEAR BEFORE THE COURT TO**
23 **ANSWER THE WRIT AND TO WITHHOLD PROPERTY IN ACCORDANCE WITH**
24 **THE WRIT BEFORE THE APPEARANCE DATE. IF YOU FAIL TO APPEAR OR DO**
25 **APPEAR AND FAIL TO SHOW GOOD CAUSE WHY YOU FAILED TO COMPLY**
26 **WITH THIS WRIT, THE COURT WILL ENTER A JUDGMENT AGAINST YOU FOR**
27 **THE VALUE OF THE DEFENDANT'S NONEXEMPT INTEREST IN SUCH**
28 **PROPERTY (INCLUDING NONEXEMPT DISPOSABLE EARNINGS). THE COURT**
MAY ALSO AWARD A REASONABLE ATTORNEY'S FEE TO THE UNITED STATES

1 **AND AGAINST YOU IF THE WRIT IS NOT ANSWERED WITHIN THE TIME**
2 **SPECIFIED HEREIN AND IF THE UNITED STATES FILES A PETITION**
3 **REQUIRING YOU TO APPEAR.**

4 RICHARD W. WIEKING,
5 Clerk of the United States
6 District Court for the Northern
7 District of California

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Dated: April 22, 2011

By:


Deputy Clerk